

The Honorable Judge Robert S. Lasnik

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

JAMES MCDONALD,

Plaintiff,

v.

ONEWEST BANK, FSB, NORTHWEST
TRUSTEE SERVICES, INC., MORTGAGE
ELECTRONIC REGISTRATION SYSTEMS,
INC., INDYMAC BANK FSB, DOES 1-50,

Defendants.

No. C10-1952 RSL

**ORDER GRANTING DEFENDANTS'
MOTION FOR SUMMARY
JUDGMENT**

NOTE ON MOTION CALENDAR:
[October 19, 2012]

ORAL ARGUMENT REQUESTED

THIS MATTER came on for consideration this date upon Defendants OneWest Bank, FSB ("OneWest"), Mortgage Electronic Registration Systems, Inc. ("MERS"), and Northwest Trustee Services, Inc.'s ("NWTS") Motion for Summary Judgment. The court considered the Defendants' Motion for Summary Judgment, all documents in response and reply thereto, oral argument, all supporting Declarations and Exhibits attached thereto as well as the records filed herein. Finding that Plaintiff's claims fail as a matter of law as to all Defendants and there is no further basis for the preliminary injunction; now, therefore, it is hereby

//

//

//

//

//

1 ORDERED that Defendants' Motion for Summary Judgment is granted, in entirety, such
2 that Plaintiff's claims fail as a matter of law and the Preliminary Injunction entered on January
3 25, 2010, is dissolved.


4 IT IS FURTHER ORDERED that pursuant to RCW 61.24.130(3), the court shall set a
5 sale date for the property to be sold, which is not less than forty-five days from entry of this
6 order. Accordingly, the Defendants may proceed with the nonjudicial trustee's sale on or after
7 _____.

8
9 DONE IN OPEN COURT this _____ day of _____, 2012.

10
11 _____
12 Honorable Judge Robert S. Lasnik

13
14 Presented by:

15 **ROUTH CRABTREE OLSEN, P.S.**

16 
17 _____
18 Heidi E. Buck, WSBA No. 41769
19 Of Attorneys for Defendants OneWest
20 Bank, Mortgage Electronic Registration
21 Systems, Inc., and Northwest Trustee
22 Services, Inc.
23
24
25
26